

### **REMARKS / ARGUMENTS**

Entry of this amendment and new claims, and reconsideration of the application, as amended, are respectfully requested. By this amendment, claims, 1, 2, 5, 6, 8-13, 15 and 16 have been amended; claims 3, 4 and 7 have been cancelled; and claims 17-19 have been added. Claims 1, 2, 5, 6, 8-19 are pending in this case after the amendment.

**Claim 1** has been amended to include the following limitations:

- (a) ...; wherein each said Joker can be used as an Ace, or to form a Straight or Flush;
- (b) ... betting on the content of the Player's own hand...betting against the Banker's hand, ...;
- (f) ...; wherein a Player's Pair Of Aces Or Better Bet wins if the Player's best 5-card poker hand is a pair of Aces, Two Pair, 3 of a Kind, Straight, Flush, Full House, 4 of a Kind, Straight Flush, Royal Flush or 5 Aces; wherein this wager loses if the Player's best 5-card poker hand is not one of aforesaid winning hands;
- (h) determining whether each Player's Poker Bet wager wins, loses or ties, if any; wherein each Player's best 5-card poker hand is compared to the Banker's according to the rankings of the Poker Bet game from the highest rank to the lowest rank as follows: 5 Aces, Royal Flush, Straight Flush, 4 of a Kind, Full House, Flush, Straight, 3 of a Kind, Two Pair, One Pair, and High Card; Ace is the highest High Card, following by King, Queen, Jack, Ten, 9, 8, 7, 6, 5, 4, 3 and 2; and
- (i) (amended) setting each Player's Poker Bet wager with the Banker.

The recitation "(a) wherein each said Joker can be used as an Ace, or to complete a Straight or Flush;" is based on the specification at page 1, lines 16 and 17. The recitation (b) is based on the Abstract, lines 5-7. The recitation (f), the specification at page 4, lines 31-34. The recitation (h), the specification at page 3, lines 18-23. The recitation (i) has been amended to delete "determining whether each Player's Poker Bet wager wins, loses or ties," and "if any".

**Claim 2** has been amended to combine original claims 2 and 3.

**Claims 5 and 6** have been amended to correct "... according to claim 1" instead of "according to claim 4" and correct the expression "(1 to 1)" to "namely 1 to 1".

**Claims 8** has been amended to correct "... according to claim 1" instead of "according to claim 7" and correct the expression "(1 to 1)" to "namely 1 to 1", "(1 to 2) to "namely 1 to 2"; it has been further amended to be recited in a single sentence by replacing the writing of claim 8 ". If" with "; if" ; no change in meaning is intended by these amendments.

**Claims 9** has been amended to correct "... according to claim 1" instead of "according to claim 7" and correct the expression "(1 to 1)" to "namely 1 to 1", "(1 to 2) to "namely 1 to 2"; it has been further amended to be recited in a single sentence by replacing the writing of claim 9 ". If" with "; if" ; and again it has been amended by changing from "a lower ranking hand" to "lower" to clarify the same expression; no change in meaning is intended by these amendments.

**Claim 10** has been amended to correct "...according to claim 1" instead of "according to claim 7" and to rectify the grammatical errors by replacing the words "'not'" with "not", "(1 to 2)" with "namely 1 to 2", "(1 to 1)" with "namely 1 to 1", and to delete "(a King-Queen-high hand or a better hand)"; claim 10 has been further amended to be recited in a single sentence by replacing the writing of claim 10 ". If" with "; if" three times; no change in meaning is intended by these amendments.

**Claim 11** has been amended to correct "...according to claim 1" instead of "according to claim 7", to rectify the grammatical errors by replacing the words "'not'" with "not", "(1 to 2)" with "namely 1 to 2", "(1 to 1)" with "namely 1 to 1", to delete the words "a" and "ranking hand", and to be added three times of the same limitation of "of the predetermined ranking hand or better" to where are needed; claim 11 has been further amended to be recited in a single sentence by replacing the writing of claim 11 ". If" with "; if" two times; no change in meaning is intended by these amendments.

**Claim 12** has been amended to correct "...according to claim 1" instead of "according to claim 7", to rectify the grammatical errors by replacing the words "not" with "not", "(1 to 2)" with "namely 1 to 2", "(1 to 1)" with "namely 1 to 1", "no money is won or lost" with "neither wins nor loses", to delete the words "a" and "ranking hand", and to add three times of the same limitation of "of the predetermined ranking hand or better" to where are needed; claim 12 has been further amended to be recited in a single sentence by replacing the writing of claim 12 ". If" with "; if" three times; no change in meaning is intended by these amendments.

**Claim 13** has been amended to correct "...according to claim 1" instead of "according to claim 7", to rectify the grammatical errors by replacing the words "(1 to 2)" with "namely 1 to 2", "(1 to 1)" with "namely 1 to 1"; claim 13 has been further amended to be recited in a single sentence by replacing ". If" with "; if" two times; no change in meaning is intended by these amendments.

**Claim 15** has been amended to correct "...according to claim 1" instead of "according to claim 7".

**Claim 16** has been amended to correct the grammatical error by replacing "cards" with "card" from the plural form to single form.

**New claim 17** recites subject matter taught in the specification at page 3, line 24.

**New claim 18** recites subject matter taught in the specification at page 4, lines 25-29.

**New claim 19** recites subject matter taught in the specification at page 2, lines 29-30 and 35-36.

In this Final Office Action, the Examiner cited that Claims 1-16 are rejected under 35 U.S.C 103(a) as being unpatentable over Feola's patent #5,839,731. Reconsideration of my application, as amended, is respectfully requested. This rejection is respectfully traversed, as

applied to the amended claims, the new claims, and the patentably distinct teachings between Feola's and my present invention. Two said teachings vastly differ in the following ways:

1. Feola teaches that providing and shuffling at least one standard poker deck of cards and no joker (col. 3, lines 11-16); while my present invention discloses that providing shuffling at least one standard poker deck of cards with at least one joker, preferably one joker (specification page 2, lines 29-32). Adding at least one joker to a game it will greatly enhance the excitement of a game.
2. Feola teaches that each player may place one and up to six bets and the bet that has the highest ranking hand or the lowest ranking, whichever is chosen prior to dealing cards, wins the game (see abstract and claim 1); while my present invention discloses that a Player's may place a Pair Of Aces Or Better bet betting on the content of the Player's own hand, and a Player's Poker bet betting against the Banker's hand (see abstract). Feola neither teaches a Player may place a bet that it bets on the content of the player's own hand nor discloses a Player may place a bet it bets against the Banker's hand.
3. Feola teaches that typically six hands are dealt and each hand may consist of two or more cards, but each player and the banker or dealer apparently receive no cards their own (FIG. 1 and col. 5, lines 9-23); while my present invention discloses that each player and the banker each receives his or her own seven cards (specification page 1, lines 20 & 21). The players who play Feola's game will not be able to obtain the card reading enjoyment; fortunately, the players who play my game will be able to obtain such enjoyment.
4. Feola teaches that the bet that has the highest ranking hand or the lowest ranking hand, whichever is chosen prior to dealing cards, wins the game and is mainly paid a multiple of said wager (claims 16 & 17); while my present invention discloses that a Pair Of Aces Or Better bet wins and is mainly paid Even Money (1 to 1) if the Player's best 5-card

poker hand is a pair of Aces or better (specification page 2, lines 5-12), and the Poker bet wins and is mainly paid Even Money (1 to 1) if the Player's best 5-card poker hand beats the Banker's best 5-card poker hand (specification page 1, lines 36-39, and page 2, 1-4). Since Feola's gives a player about 16.7% chances of winning a said bet, while my present invention can give the same player about 46.7% chances of winning a Pair Of Aces Or Better bet and 49.9% chances of winning a Poker bet, therefore, the games of two said bets of my present invention offer much higher winning frequency than Feola's, and for this reason my present invention is more fun to play than Feola's because players would feel that the more often they win the more fun they have.

5. Feola also teaches that prior to dealing cards, at least one player wagers a vigorish (claim 12), and placing said vigorish is a must when the game is played with only two hands dealt (column 5, lines 24-31); while my present invention does not disclose such adverse feature of player placing a vigorish prior to dealing cards.

Accordingly, my present invention is apparently neither shown nor suggested by Feola. I respectfully request that the rejection under 35 U.S.C. 103(a) as being over Feola be removed.

### CONCLUSION

I believe that my amended claims, new claims, and the foregoing Remarks and Arguments are a complete response to this Office action and shall overcome the cited rejection. I respectfully request that a timely Notice of Allowance be issued in this case.

Respectfully submitted,



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Date: September 22, 2005